

**UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF FLORIDA  
ORLANDO DIVISION**

**OPHELIA WALKER,**

**Plaintiff,**

**v.**

**Case No: 6:20-cv-1149-Orl-22EJK**

**ALLAMANDA INVESTMENTS, LLC  
and HELEN JAMES,**

**Defendants.**

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**ORDER**

This cause is before the Court on Plaintiff's Motion to Amend Complaint<sup>1</sup> (Doc. No. 20) filed on September 14, 2020.

The United States Magistrate Judge has submitted a report recommending that the Motion be GRANTED. (Doc. 23).

After an independent *de novo* review of the record in this matter, and noting that no objections were timely filed, the Court agrees entirely with the findings of fact and conclusions of law in the Report and Recommendation.

Therefore, it is **ORDERED** as follows:

1. The Report and Recommendation filed October 8, 2020 (Doc. No. 23) is **ADOPTED** and **CONFIRMED** and made a part of this Order.
2. Plaintiff's claims in the Complaint (Doc. 1) against Defendant Allamanda Investments, LLC, are **DISMISSED** from this action **WITH PREJUDICE**, pursuant to Federal Rule of Civil Procedure 41(a)(2).

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<sup>1</sup> Magistrate Judge Kidd had previously granted the Motion in part to the extent Plaintiff sought a stay of the FLSA scheduling order. (Doc. 16).


3. Defendant Allamanda Investments, LLC's Counterclaim (Doc. 15) against Plaintiff is **DISMISSED WITHOUT PREJUDICE**.

4. The Plaintiff's Motion to Amend Complaint is hereby **GRANTED**. Plaintiff shall file the amended complaint as a separate docket entry on the docket within 7 days from the date of this Order. Plaintiff shall serve the newly added defendant, Kirkman Management, LLC, as well as Defendant, Helen James within **45 days** of the date of this Order.

5. The Motion to Dismiss Counterclaim (Doc. 19) is **DENIED as moot**.

6. Within 10 days of filing of the answer to be filed the newly-named Defendants, the Magistrate Judge is directed to enter a new FLSA scheduling order.

**DONE** and **ORDERED** in Orlando, Florida on October 29, 2020.

  
ANNE C. CONWAY  
United States District Judge

Copies furnished to:

Counsel of Record  
Unrepresented Parties